

Missouri CON Review after 2001

Under the existing Certificate of Need (CON) law, the sunset provision states:

“197.366. The provisions of subdivision (8) of section 197.305 to the contrary notwithstanding, after December 31, 2001, the term “health care facilities” in sections 197.300 to 197.366 shall mean:

- (1) Facilities licensed under chapter 198, RSMo;*
- (2) Long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo;*
- (3) Long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 C.F.R., section 412.23(e); and*
- (4) Construction of a new hospital as defined in chapter 197.”*

Effective January 1, 2002, health services which **no longer require review** would include new (except for hospitals), expanded, renovated or modernized:

- acute, rehab, psych or other hospitals (except long term acute care);
- freestanding hemodialysis units;
- ambulatory surgery centers;
- diagnostic imaging centers;
- radiation therapy centers; and
- other acute care facilities.

Unchanged by the sunset, CON will **continue to review** the following “facilities” and “equipment” (*the CON Rules will be revised accordingly*):

- **nursing homes** (intermediate care and skilled nursing facilities) and **residential care facilities** (levels I and II);
- **long term care beds** (certified as residential care, intermediate care or skilled nursing) in acute care hospitals;
- **specialized long term acute care** beds or hospitals;
- **new hospitals** (any licensed hospital that wasn't previously licensed at a specific location); and
- **major medical equipment** costing \$1 million or more acquired for use in any location (including hospitals, mobile platforms, medical office buildings, and other ambulatory settings) including at least magnetic resonance imaging scanners, lithotriptors, positron emission tomography scanners, linear accelerators, gamma knives, cardiac catheterization laboratories, operating room equipment, and other similar collections of such medical devices.

Provisions will also continue through the “non-applicability review process” to assist prospective applicants in analyzing their proposals to determine whether CON review is required. If so, staff assistance will continue to be provided in the preparation and submission of necessary CON applications.

This clarification was issued by the **Missouri Health Facilities Review Committee** at their June 4, 2001, meeting; for more information, contact their office at:

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